

11/20/03

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**Fax Transmittal**

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Total Pages Including Cover: 6

**DATE:** November 20, 2003

**TO:** Office of Initial Patent Examination  
Filing Receipt Corrections  
**Fax #:** 703-746-9195  
**Client/Matter #:** 6108.73

**Company:** Commissioner for Patents  
**Phone #:**

**FROM:** Richard V. Wells  
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**Main Fax #:** (214) 651-5940

Should you have any problems with this transmittal, please call: (214) 651-5452

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Attorney Docket No. 6108.73  
Customer No. 000027683

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:  
Gregory Don Moore et al.

Serial No.: 10/635,948

Filed: August 7, 2003

Entitled:  
SINGLE SLITTING PROCESS FOR RECYCLING  
RAIL

§  
§  
§  
§ Group Art Unit: 1472  
§  
§ Examiner: unknown  
§  
§ Confirmation No.: 1225  
§  
§  
§

## REQUEST TO CORRECT FILING RECEIPT

Via Facsimile No. 703-746-9195  
Office of Initial Patent Examination's Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

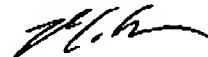
Sir:

Attached is a copy of the official *Filing Receipt* received from the U.S. Patent and Trademark Office (PTO) in the above-identified patent application in which issuance of a corrected filing receipt is respectfully requested.

The "Non-Publication Request: No" is incorrectly stated on the *Filing Receipt*. Applicant filed a *Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)* on August 7, 2003 along with the original filing of the application. Enclosed is a copy of the *Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)* and *Utility Patent Application Transmittal* as filed on August 7, 2003. Therefore, the filing receipt should state "Non-Publication Request: Yes". Correction of this error is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees or to credit any overpayments to Deposit Account No. 08-1394.

Respectfully submitted,



Richard V. Wells  
Registration No. 53,757

Date: 20 November 2003  
HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 214/651-5512  
IP Facsimile: 214/200-0853  
File: 6108.73  
d-1188926.1

### FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being faxed to Office of Initial Patent Examination's Filing Receipt Corrections, Commissioner for Patents, Alexandria, VA 22313-140 @ 703-746-9195 on 11-20-2003

Signature: Debbie Ludwig

Typed Name: Debbie Ludwig



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/635,948	08/07/2003	1742	750	6108.73	3	17	3

CONFIRMATION NO. 1225

27683  
HAYNES AND BOONE, LLP  
901 MAIN STREET, SUITE 3100  
DALLAS, TX 75202

COPY

## FILING RECEIPT



\*OC000000011183318\*

Date Mailed: 11/05/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9135. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Gregory Don Moore, Magnolia, AR;  
James Edward Melton, Boerne, TX;  
Stephen Gary Weaver, Magnolia, AR;

## Assignment For Published Patent Application

CMC Steel Fabricators, Inc., Seguin, TX;

## Domestic Priority data as claimed by applicant

## Foreign Applications

If Required, Foreign Filing License Granted: 11/04/2003

Projected Publication Date: 02/10/2005

Non-Publication Request: ~~No~~ YES

Early Publication Request: No

## Title

Single slitting process for recycling rail

RECEIVED

NOV 11 2003

HAYNES &amp; BOONE LLP

2-7-04 6 mo. FF reminder  
LTC

8-7-04 - DD to FF

Docketed 11-11-03

By ef

Preliminary Class  
075

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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COPY

PTO/SB/05 (06-03)

Approved for use through 07/31/2003. OMB 0651-0032  
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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	6108.73
	First Inventor	Gregory Don Moore
	Title	Single Slitting Process for Recycling Rail
	Express Mail Label No.	EV 333437640 US

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i>	<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
--	---

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification (Total Pages 14)  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) (Total Sheets 3)
5. Oath or Declaration (Total Sheets     )
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - c. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.78

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Reader Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 603) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Express Mail Certificate

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.78:

☐ Continuation☐ Divisional☐ Continuation-in-part (CIP)of prior application No.:                     


Prior application information:

Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☒ Customer Number:27683OR ☐ Correspondence address below

Name	Jeffrey M. Becker		
Address	Haynes and Boone, LLP		
	801 Main Street, Suite 3100		
City	Dallas	State	Texas
Country	USA	Telephone	214.651.5066
		Fax	214.200.0558
Name (Print/Type)	Jeffrey M. Becker	Registration No. (Attorney/Agent)	35,442
Signature		Date	11/17/03

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SB/35 (05-03)

Approved for use through 4/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Gregory Don Moore

Title

Single Slitting Process for Recycling Rail

Attorney Docket Number

6108.73

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Aug. 7, 2003  
Date

Jeffrey M. Becker  
Signature

214.651.5066

Telephone number

Jeffrey M. Becker (Reg. No. 35,442)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.